

 **COPY**

CAUSE NO. C1329400

FILED
NACOGDOCHES COUNTY
TEXAS

2015 JAN 14 PM 4:06

Lester Cammack
DISTRICT CLERK

ALAN DOYLE LUCAS,

Plaintiff,

vs.

WILLIE HUDSON
Defendant.

§ IN THE 145TH DISTRICT COURT
§
§
§
§ OF
§
§
§
§ NACOGDOCHES COUNTY, TEXAS

PLAINTIFF'S SECOND AMENDED PETITION

Alan Doyle Lucas (herein "Plaintiff") complains of Willie Hudson (herein "Defendant Hudson") and Hudson Acquisitions, Inc. (herein "Defendant Hudson Acquisitions") and for second amended petition shows:

1.

Parties

Plaintiff is an individual residing in Nacogdoches County, Texas.

Defendant Hudson is an individual residing in Shelby County, Texas who has made an appearance in this case.

Defendant Hudson Acquisitions is a Texas corporation who may be served with citation by service on its registered agent, Paul Alonzo Hudson, at 14114 Dallas Parkway #160, Dallas, Texas 75254.

2.

Background

On or about June 15, 2013, at 309 Commerce, Nacogdoches, Nacogdoches County, Texas, Defendant Hudson with his hands intentionally and knowingly grabbed Plaintiff about the face and neck and shook Plaintiff violently and forcefully causing bodily

EXHIBIT

"B"

injury. At that time, Plaintiff was a disabled person as that term is defined in §22.04 (c)(3), Texas Penal Code.

3.

Causes of Action

A. Assault - the actions of Defendant Hudson constitute assault which caused Plaintiff bodily harm and placed Plaintiff in fear of severe bodily harm.

B. Intentional Infliction of Emotional Distress - the actions of Defendant Hudson were extreme and outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, as to be regarded as atrocious and utterly intolerable in a civilized community which caused Plaintiff severe emotional distress.

C. Negligence - Defendant Hudson breached the duty not to assault Plaintiff and as the direct and proximate result of Defendant Hudson's assault foreseeably and proximately caused bodily injury and other damage to Plaintiff as set forth in Paragraph 4 below. Defendant Hudson's actions were negligence per se (§22.01, Texas Penal Code) and constitute gross negligence.

D. At the time of the assault made the basis of this action, Defendant Hudson was performing his duties as a corporate officer, agent, and employee of Defendant Hudson Acquisitions and was acting in the course and scope of his officer duties/agency/employment with Defendant Hudson Acquisitions. The conduct of Defendant Hudson constitutes the very acts of Defendant Hudson Acquisitions under the doctrine of vice-principal and/or respondeat superior.

4.

Damages

As a direct and proximate result of Defendant Hudson's actions as alleged in this petition, Plaintiff sustained and has suffered bodily injury, physical pain, and mental anguish causing damages in an amount within the jurisdictional limits of this Court. In all probability, Plaintiff will require medical care and attention in the future and incur medical expenses. Defendant Hudson acted with malice, a specific intent to cause substantial injury to Plaintiff, with an extreme degree of risk considering the potential harm to Plaintiff, gross negligence, and with a conscious indifference to the rights, safety, and welfare of the Plaintiff so as to entitle Plaintiff to recover exemplary damages.

5.

Request for Relief


Plaintiff requests judgment against Defendant Hudson and Defendant Hudson Acquisitions, jointly and severally as follows:

- A. A sum within the jurisdictional limits of this Court, including exemplary damages as determined by the Court, seeking monetary relief over \$1,000,000.00;
- B. Interest as provided by law;
- C. Costs of court; and
- D. Such other and further relief to which Plaintiff may be justly entitled.

Respectfully submitted,

STRIPLING, PEDERSEN & FLOYD
P.O. Drawer 630870
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Phone (936) 564-0445
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By



Bill Pedersen, Jr.
State Bar No. 15715000
Attorney for Plaintiff

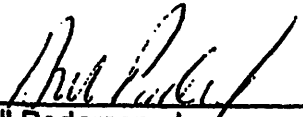
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Plaintiff's Second Amended Petition has this day been sent via facsimile transmission to:

Mr. W. Stephen Shires
Attorney and Counselor at Law
PO Box 2224
Center, TX 75935

VIA FAX: (936) 598-6122

SIGNED this 14 day of January, 2015.



Bill Pedersen, Jr.
Attorney for Plaintiff